



1724



TRANSMITTAL LETTER (General - Patent Pending)			Docket No. Clear Value-020:C
In Re Application Of: Richard Alan Haase			
Serial No. 09/918,246	Filing Date 30 July 2001	Examiner Hruskoci, Peter	Group Art Unit 1724
Title: Potable Water Treatment System & Method of Operation Thereof			
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<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>			
Transmitted herewith is: Return Postal Card; Notice to Examiner of Incorrect Mailing; Copy of 14 January 2002 Office Action; and Copy of The Matthews Firm Request for Withdrawal			
in the above identified application.			
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 13-2166 as described below. A duplicate copy of this sheet is enclosed.			
<input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.			
 _____ Signature		Dated: FEB 6, 2002	
Robert M. Bowick, Jr. Reg. # 46,569 THE MATTHEWS FIRM 1900 West Loop South, Suite 1800 Houston, Texas 77027 US 713-355-4200 Telephone 713-355-9689 Facsimile		I certify that this document and fee is being deposited on 6 February 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. <div style="text-align: center;">  _____ Signature of Person Mailing Correspondence </div> <div style="text-align: center; margin-top: 10px;"> Matt Robinson _____ Typed or Printed Name of Person Mailing Correspondence </div>	
CC:			

A circular black ink stamp from the Office of Intellectual Property (OIPE). The text "OIPE" is at the top, "FEB 21 2002" is in the center, and "PATENT & TRADEMARK OFFICE" is at the bottom. The stamp is slightly tilted.

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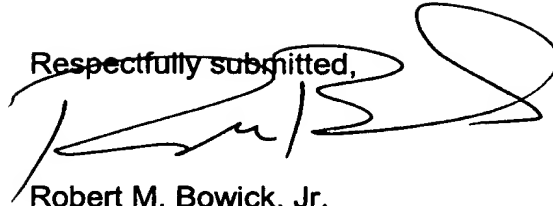
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Date

Respectfully submitted,



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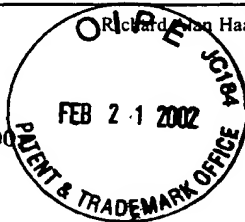


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,246	07/30/2001	Richard Alan Haase	Clear Value-020:C	3290

7590 01/14/2002
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EXAMINER

HRUSKOCI, PETER A

ART UNIT PAPER NUMBER

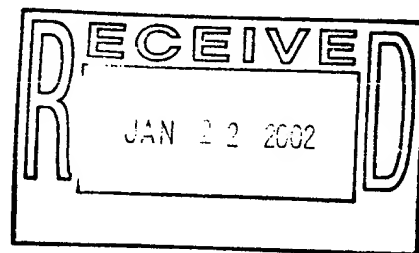
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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary



Application No.

09/404,295

Applicant(s)

BETTRIDGE, DAVID FREDERICK

Examiner

Jennifer McNeil

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5 and 7-24 is/are pending in the application.
- 4a) Of the above claim(s) 8-16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-22 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7,23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

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Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

This action is in response to the amendment mailed December 20, 2001. A new examiner has been assigned.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 23, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Grunke et al (US 5,006,419). Grunke et al teach a structural component made of a titanium alloy and covered by a protective coating. The protective coating comprises silicates and also includes high temperature resistant pigments such as chromium oxide. A specific example of the silicate that may be used is sodium silicate (water glass). The protective coating may be applied by spraying (col. 3, lines 59-66; col. 6, lines 58-67; col. 8, lines 26-29).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2, 4, 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grunke et al (US 5,006,419) in view of Shalaby (US 5,118,581). Grunke et al teach a titanium alloy coated with a layer of silicate and chromium oxide as discussed above but does not give specific examples of the titanium alloys which may be protected. Shalaby teaches protection of gamma titanium aluminides with aluminosilicate coatings. The aluminosilicate coating is applied to the titanium alloy substrate and heated which forms a silicide intermediate layer. As it is shown by Shalaby that silicate coatings may be used to protect titanium aluminide alloy substrates, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the silicate coating of Grunke et al to the substrate of Shalaby to provide a protective coating which avoids discharge of dangerous compounds (Grunke et al, col. 3, lines 59-66). Regarding claim 2, the application of the silicate layer to the titanium alloy substrate and the subsequent heat treatment would form a silicide layer therebetween.

Allowable Subject Matter

Claims 17-22 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 4, 5, 7, 23, and 24 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer McNeil whose telephone number is 703-305-0553. The examiner can normally be reached on Monday through Friday, 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 703-308-3822. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Jennifer McNeil
Examiner
Art Unit 1775



JCM
January 3, 2002


DEBORAH JONES
SUPERVISORY PATENT EXAMINER

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a)

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.